

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN THE MATTER OF THE ESTATE OF  
FRANK CURCIO

Civil Action No.: 16-3185

**ORDER**

**CECCHI, District Judge.**

This matter comes before the Court on the motion of Interested Party Christina Marie Bennett (“Motion”) to remand this matter to state court for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1332 and for deficiency pursuant to 28 U.S.C. § 1446(b)(1) and 28 U.S.C. § 1447(c). (ECF No. 2.) Defendant Maida R. Lauzardo opposed the Motion. (ECF No. 5.) On November 3, 2016, Magistrate Judge Mark Falk issued a Report and Recommendation (“R&R”) that the Motion be granted. (ECF No. 6.) The deadline to file objections to the R&R was November 17, 2016, and no objections have been filed thereto. The Court has considered the submissions of the parties, and Judge Falk’s R&R, and for substantially the same reasons stated therein;

**IT IS** on this 22 day of December, 2016,

**ORDERED** this Court adopts Judge Falk’s November 3, 2016 R&R (ECF No. 6) that Plaintiff’s motion to remand (ECF No. 2) be granted; and it is further

**ORDERED** this action be remanded; and it is further

**ORDERED** the Clerk of the Court shall close the file in this matter;

**SO ORDERED.**

A handwritten signature in black ink, appearing to read 'C. Cecchi', is written above a horizontal line.

CLAIRE C. CECCHI, U.S.D.J.